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THE CLERGY AND THE CATHOLIC UNIVERSITY.

THE manifold relations of the Catholic University of America to the clergy of our country naturally form a fitting theme for the pages of the ECCLESIASTICAL REVIEW. Gladly do I accept the invitation so kindly extended by its editor to pen a few introductory lines on the subject, and then with fullest confidence do I entrust the development of its details to the earnestness of zeal and correctness of views which, it is already evident, are his characteristics.

It may be said without flattery that the clergy of the United States are an object of well deserved admiration to the universal Church. Their work during the century now closing stands almost without a parallel in ecclesiastical history, and they are rewarded not only with the grateful devotedness of their own people, but also with honor and praise from all the nations of the world.

But the work accomplished forms only the foundations for the nobler work yet to come. The Church in America has only been preparing for the great part that she is to take in shaping the world's future. One need not be much of a diplomatist to recognize that America is giving tone and direction to the march of humanity; and one need not be a profound theologian and philosopher to see that on the influ-

ence of the Catholic Church in our country must it mainly depend that the direction given be wise and salutary.

An essentially necessary condition for the Church's exercising this needed influence is that she should be recognized as the greatest intellectual power in the land. She must be seen of all to have not only the fulness of grace, but also the fulness of truth. She must show herself to be still as ever the light of the world, and with a light fully adequate to all the intellectual needs and all the intellectual dangers of the generation we live in and of the times we see opening before us.

The intellectual provisions which have sufficed for the Church's work in America hitherto could by no means suffice for the requirements of the future. If, with prudent foresight, we are to provide now for the coming needs, it behooves us to carry the appliances of Christian education not only to their broadest extent but also to their fullest height. We possess in comparative abundance means for the supply of ordinary educational needs, and they are being steadily multiplied, with an energy that is most praiseworthy. But we are wanting in those institutions of highest learning, which have been the glories of Christendom in all past ages. Nor is this to be wondered at, nor does any blame attach to it, since our circumstances hitherto rendered institutions of that order neither necessary nor possible. But circumstances are changing fast; they are bringing with them a demand which is already making itself urgently felt; and it is our bounden duty to supply it. Hence the action of the Third Plenary Council in decreeing the institution of the Catholic University of America; hence the earnestness with which our holy Father Leo XIII urges us to labor unanimously for its full accomplishment.

The Catholics of America have responded nobly to the appeal of their Bishops and of the Vicar of Christ. The project is but as of yesterday; yet financial means have already been supplied for laying solidly the foundations of the great work by the establishment and endowment of its

Divinity Department, which is to open next November. In accomplishing this result, the bounty of the laity has been rivalled by the self-sacrificing generosity of many of the clergy, who deemed it an honorable thing to take part in such a work, and especially in that department of it which is primarily meant for the advantage of the clergy. Most of them, doubtless, might consider that the University could be of no direct benefit to themselves. But it is not that consideration that has hitherto animated their endeavors. In all their labors they have been providing for generations to come. "*Sic vos, non vobis*" has been their motto. They have ever asked, not, will it benefit me, but will it benefit the Church of God? and the well pondered judgment of the Bishops and of the Pope has put it beyond reasonable doubt that the University is destined to do incalculable good to the Church and country.

The great work is well begun; but it is only begun; our efforts must be unintermitting for years to come. Much must still be done to bring even the Divinity Department to its full development and usefulness, and then the organization of the faculties for lay students must be pushed on without delay. Generous contributions are still greatly needed, that the work may not halt, but may advance as it ought. Funds are needed to endow other professorships, in order that our theological, biblical, philosophical, and historical teaching may be carried to that full development demanded by the scientific conditions of the age. Funds are needed to endow scholarships for the support of deserving students, local scholarships, to be competed for by the best students in local institutions, and general scholarships, to be competed for by all comers. Funds are needed to establish prizes for the reward of distinguished merit among the graduates, a most desirable incentive to the best endeavors. Funds are needed to enlarge the Library and make it worthy of such an institution. Funds are needed to render the Divinity buildings adequate to the demand already made for accommodations, and to erect the buildings needed

for the other faculties, which must be opened as soon as possible. A mighty task still lies before us, and we dare not relax our efforts.

What, then, can the clergy do towards all this? They can do very much, and we earnestly invoke their hearty and active co-operation. They can earn our gratitude by sending their names to any of the Board of Directors, to be added to the list of contributors, as it may not be in our power to call on them personally. They can spare us embarrassment by promptitude in handing in the instalments of their subscriptions. They can aid the undertaking very materially by speaking of it to their people as a work in which Catholics of means ought to take part, at least by remembering it in their wills. They can organize concerted action for the endowment of scholarships. They can inspire talented students with a laudable ambition to profit by the advantages offered them in the University, and thus confer on the institution the greatest of all benefits by enlarging the sphere of its usefulness. They can themselves get permission from their Bishops to come and spend a longer or shorter time at the University, refreshing and perfecting their acquaintance with one or another branch of sacred learning; and they may be assured that for every priest thus coming to us there will be the most cordial of welcomes.

Thus there is evidently very much that the clergy can do to help on the work of the University, and, reciprocally, much that the University can do for any of them who desire it. And glad would we be indeed if the greater number of our clergy should desire it, and should participate in the intellectual advantages now being provided for them. The chief glories of the University will, of course, be found among those who will have both the time and talent sufficient for attaining the degrees which will be the crown of eminent proficiency, but I can truly say that her chief comfort and joy will be the impulse of intellectual improvement and aspiration which she hopes to impart to the doubtless far larger number who will

come to her, not for the finished course which would fit them for degrees, but for that start and help and guidance in higher studies which they acquire in one or two years, and which will be a blessing to them for life.

Thus I have thrown out a few suggestive ideas, confidently leaving their development to the Editor of the ECCLESIASTICAL REVIEW.

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CONFESSION IN THE SYNAGOGUE.

IN the "History of Confession" by the Rev. A. Guillois, translated into English by the Right Rev. L. de Goesbriand, Bishop of Burlington [1] the obligation of confessing one's sins to a rightfully constituted minister of God appears in a new light. Though we cannot agree with all the arguments put forth by the Rev. Author in favor of confession, still the book contains many an instructive suggestion showing to a reflective mind the psychological congruity of confessing one's misdeeds to somebody. For the wide spread of this practice can hardly be explained, unless we admit that man, by the very constitution of his nature, needs some one before whom he may humble himself, and by whom he may be guided and consoled. A strictly theological argument for confession, however, we could not draw from this fact; it is especially to the existence of confession in the Synagogue, in the Old Law, the guardian and interpreter of all divinely revealed truths, that theology appeals when it professes to give more than mere arguments of congruity for the necessity of confessing our sins. The development of the argument may be seen in St. Bonaventure,[2] Hugo de S. Victore,[3]

[1] Benziger Bros., N. Y., 1889.

[2] In 4, dist. 17, p. 2, a. 1, quæst. 3. [3] L. 2 de sacram., p. 4, c. 1.

Bellarmin,[1] T. Waldensis,[2] St. Antoninus,[3] Morinus,[4] Guillois,[5] and in many other theological treatises; for a merely scientific statement of the fact of confession in the Synagogue we may consult Pet. Galatinus[6] and Buxtorf's Synagoga Judaica,[7] besides many sources to be referred to in the course of our investigation.

It must be confessed that the argument of the great theologians mentioned above loses much of its force by an inaccurate statement of the fact in question, on which, nevertheless, the whole force of their argument depends. The statement as usually made admits a distinction, and, therefore, a qualified denial; and our adversaries know well what they may safely deny. In order to present the fact, namely, the existence of an obligation of confession in the Synagogue, in its true light, we shall first show the existence of such an obligation in general, then inquire into the limits of the obligation, and, thirdly, answer the principal objections of those who disagree with us in regard to the limits.

First, were the Jews in the Synagogue obliged to confess their sins in some way or another? Lev. iv. to vi. answers in the affirmative. The law prescribes that a delinquent should offer a certain sacrifice for his trangression: the anointed priest must offer a calf;[8] the whole nation also a calf[9]; a prince had to offer a buck-goat,[10] and a private citizen a she-goat[11] or an ewe, in case of an unwilful sin against the ceremonial law; if poverty rendered the offering of a she-goat or an ewe impossible, a pair of turtle-doves, or two young pigeons, or even the tenth part of an ephi of flour might be

[1] De pœnit. 3, 3. [2] Tom. 2 de sacram., c. 137. [3] Summ. Theol. P. iii. t. 14, c. 6 §1. [4] P. 129 ff.

[5] History of Confession. p. 17.

[6] L. 10, c. 3.

[7] Basil, 1641, p. 428 sqq.

[8] Lev. iv. 3. [9] Ibid. 14.

[10] Ibid. 23.

[11] Ibid. 28; v. 6.

substituted instead.[1] In case an Israelite had been guilty of sins against justice[2] or of an infringement of the ceremonial law in sacred things,[3] he must offer a ram as sin-offering. Hence from the sin-offering presented by a Jew the nature of his transgression might in general be conjectured. The words of Philo Judæus[4] confirm what we have said. He testifies that the priests were obliged to eat the remnants of the sin-offerings in the temple, admitting neither their wives nor other members of their families, so that the sins of the penitents might not be made public.

But this is not all; the law required, moreover, in several cases, an open acknowledgment of the faults committed. In Lev. iv. 4, 15, 24; 29, 33 it is prescribed that the penitent should place his hand upon the head of the sin-offering,[6] and from Lev. v. 5, xvi. 21, and Num. v. 7 it appears probable that a verbal confession of some kind was connected with piacular sacrifices. The following form of confession is said to have been prescribed to the individual delinquent presenting his own sin-offering:[6] "O God, I have sinned, I have done perversely, I have trespassed before Thee, and have done so and so. Lo! now I repent and am truly sorry for my misdeeds. Let, then, this victim be my expiation."[7] The forms of confession used by the High-Priest on the day of atonement[8] are still to be seen in the Mishna.[9] First the Pontiff must confess his own sins, laying his hands on the head of the calf: "I beseech Thee, O Lord, I have sinned, I have been rebellious, I have trespassed before Thee, I and my house . . ." After-

[1] Lev. v. 7, 11.
[2] Ibid. vi. 6.
[3] Ibid. v. 15, 17.
[4] Lib. de Victimis.
[5] Comp. also Lev. i. 4; iii. 8; viii. 14, 18.
[6] Cf. Outram, de sacr. l. 1, c. xv., § 10, 11.
[7] Magee's Atonement and Sacrifice, n. 39.
[8] Lev. xvi. 6, 21.
[9] Yoma, iii. 8; iv. 2; vi. 2. See Leg. Mishn. lib. edit. Surenhus, Amstelodami, 1699.

wards, laying his hands again on the head of the calf, he confessed the sins of all his fellow-priests, using the above form; but after . . . "I and my house," he now added "and the sons of Aaron, Thy holy people . . ." The third time the High-priest confessed the sins of the whole nation, laying both hands on the head of the scape-goat, and saying: "I beseech Thee, O Lord, Thy people, the house of Israel, has sinned, been rebellious, and trespassed before Thee . . ."[1] In general, the Jewish Doctors combine in all cases confession of sins with imposition of hands on the head of the victim. "Where there is no confession of sins, there is no imposition of hands," was their general principle.[2]

This general confession of sins does not seem to have been confined to the time of sacrifice. In III. Kings viii. 48, Ps. cv. 6, Dan. ix. 5, and Baruch i. 17, we have a similar general form of confession: "We have sinned with our fathers; we have acted unjustly, we have wrought iniquity." In III. Kings viii. 47, Solomon expressly prays God to forgive their sins to all who should confess in the above form. The New Testament, in Matt. iii. 6, and Mark i. 5, seems to indicate that a similar confession accompanied the baptism of St. John; again, in Luke xviii. 10, the publican confesses his sins in such a general way, and returns, in consequence, more justified than the proud Pharisee. The later Jewish writers, too, insist on the necessity of confession. David Kimchi[3] says that all the efficacy of sacrifices consists in the confession of sins and in repentance. Moses Tranensis[4] says, to the same effect: "Penance and confession are one and the same precept; for there is no confession without penance, and it is confession which makes penance perfect." The book "Beth Midoth"[5] insists on the necessity of confession, especially in case of the

[1] Comp. the ceremony of the priest at Mass holding his hands over the oblation before consecration.

[2] Cf. Outram de sacr. l. i. c. xv., § 8; Magee, loc. cit.

[3] Bib. Mag. Rabbin., P. i, p. 451.

[4] Morinus, p. 128. [5] Morin. p. 130.

dying. The "Mishna" [1] relates that criminals led out to execution, when about ten cubits from the place of execution, were exhorted, "Confess; such is the practice with those who are condemned to die. . . . ." [2]

The alleged testimonies are an amply sufficient proof for the existence of some kind of confession in the Synagogue. We must, then, in the second place, state the exact limits within which such confession was obligatory. We shall try to do this plainly and briefly in the following four propositions.[3]

1. *Sins of injustice had to be confessed in the Synagogue singly.* We read in Num. v. 6, 7: "When a man or a woman shall have committed any of all the sins that men are wont to commit, they shall confess their sin, and restore the principal itself, and the fifth part over and above, to him against whom they have sinned." That there is question of sins of injustice in this passage is plain from the context and from the agreement of commentators to that effect. To verify the latter, we may consult a Lapid., Mariana, Menochius, Tostatus, and also the Protestant commentators, Munsterus, Fagius, Drusius, etc. Further, Jewish tradition concerning the observance of this law tells us that such sins of injustice were confessed singly. For the confession here prescribed is named by the Jewish doctors, "confessio super peccato singulari," to distinguish it from the other confessions made in general forms. Most commentators, too, agree in this; compare a Lapid., Malvenda, Munster., Fagius, Vatablus.[4]

2. *In case of public sins, the sinner was obliged to show publicly that he repented.* The instance related in Exod. xxxii. 31, where Moses confesses the sin of the people, is often brought up as an illustration of this obligation. "And returning to the Lord, he [Moses] said: I beseech Thee: this people hath sinned a heinous sin, *and they have made themselves gods of*

[1] Sanhed. c. vi.

[2] Cf. History of Confess., p. 17 ff.

[3] Cf. Drach, L'Eglise et la Synagogue, tom. i., p. 547, ff.

[4] Annotator. ad Pentateuch, tom. i., p. 2, in hunc loc.

gold." The fact that Moses confessed here a particular sin, cannot be denied, but he confessed it to God alone. Again, from one such confession we cannot conclude that it was generally necessary to confess *all* public sins in the same way. We have, however, stated this interpretation of Exod. xxxii. 31, not to defend Rabbinic logic, which is very deficient here, but to show the Rabbinic tradition. Compare Rabbi Huna, who refers to this passage expressly. R. Yehuda[1] says: "If many know that he has sinned, let it be known to many that he is penitent."

3. *The Jewish confession was not necessarily entire, and it might be made by proxy.* In the confessions made in general forms, the integrity of confession is of little consequence; but in a case as we read in Jos. vii. 19, the lack of integrity becomes striking. "And Josue said to Achan (who had stolen a scarlet garment, etc. and thus committed a sin of injustice), My son, give glory to the Lord God of Israel, and confess and tell me what thou hast done. . . ." Nothing is said here of the many other sins of which Achan was, no doubt, guilty. In like manner did Moses confess only the sin of idolatry committed by his people,[2] though they were guilty of many others. In this same confession of Moses, and in the confession of the High Priest on the day of atonement[3] we have instances of confessions made by proxy.

4. *Excepting sins of injustice and public sins, all other sins were confessed in the Synagogue by means of general forms, which indicated only the genera of sins.* The forms given above show that usually three genera of sins were indicated in confession; iniquities, offences, and sins, they are translated in the Douay Version.[4] Concerning the exact meaning of each of these terms, commentators do not agree. Some[5] think that iniquities are trespasses against negative precepts, offences against posi-

[1] Sepher Chasidim, n. 167.
[2] Exod. xxxii. 31.
[3] Lev. xvi. 21.
[4] Ibid.
[5] Grotius, Fagius, in Lev. xvi. 21. Compare the prayer at Mass: "pro omnibus peccatis, offensionibus, et negligentiis meis. . . ."

tive precepts, while sins would signify indeliberate and unconscious transgressions of the ceremonial law; but other commentators explain the terms so as to make the priest ascend in his confession from smaller to greater sins.[1] The Jewish Doctors call him who confesses his secret sins against God an impudent and presumptuous man, since he reveals an insult done to the divine majesty.[2] The "Talmud"[3] says: "The essential part of confession, according to the teaching of Mar-Zutra, consists in this formula, 'in truth, we have sinned.' And after pronouncing it, there is no need of further confession." The Rabbis Bar-Hamdudi, and Samuel Maimonides,[4] and Moses de Kotzi,[5] as well as Joseph Karo,[6] express, one and all, the same views. R. Yehuda the Pious[7] says: "Si quis peccavit occulte, nemine id sciente, præter, *v.g.*, illam mulierem, quacum peccavit, quando pœnitentiam agit, prudentiæ ejus est efficere, ut illa mulier sciat, et non alii, ipsum pœnitentiam agere."[8]

Finally, we shall have to answer a few objections brought up against us by those authors who would maintain that in the Synagogue all, even secret sins against God, must be confessed in particular. Their proofs may be classed under three headings. First, they say, God Himself in his dealings with men required such a confession, as we see in the case of our first parents,[9] of Cain,[10] and of David.[11] But it must be remembered that in the first two cases the confession was made to God himself; it would, of course, be against the wisdom of God to pardon man his sin, without man doing as much as acknowledge that he had done wrong. In the third instance, David acknowledged his sin before Nathan only after the latter had told him of it; neither in this case,

[1] R. Meyer, Leg. Mishn., Edit. Surenhus, p. 227.
[2] Cf. Drach, l.c., p. 549.
[3] Yoma, fol. 87 vers.
[4] Treatise on Penance, c. 2, § 8.
[5] Affirmative Precept, 16.
[6] Summ. Theol., Orach-Chayin, n. 604.
[7] Sepher Chasidim, n. 167.
[8] Cf. Sepp., Das Leben Jesu Christi, vol. vi. p. 545.
[9] Gen. iii. 9-13.
[10] Gen. iv. 9, 10.
[11] II. Kings xii.

therefore, is there question of confessing a secret sin.

Secondly, our adversaries maintain that in the Synagogue all sins were to be confessed in particular, because God himself had ordained it so. The texts to which they appeal are mainly Lev. v. 5, 6; Numb. v. 6, 7; Ecclesiasticus iv. 31, and Prov. xxviii. 13. The passage in Numb. v. 6, 7, has been explained above; it evidently refers to sins of injustice, as may be seen from the context and from the notes of the commentators indicated above. The objection drawn from Lev. v. 6 seems at first to be more serious. The passage reads: "And it shall be when he shall be guilty in one of these things, that he shall confess that he hath sinned in that thing." The King James version has been quoted, because it happens to be a literal translation of the Hebrew text, and especially, because our adversaries build their argument on it alone. The Vulgate version gives them no ground for any argument against us. But to answer the objection, we need only to read the verse in its context. The verse immediately following reads: "And he shall bring his trespass-offering unto the Lord for his sin which he hath sinned." Now we know from the first part of this paper that such a sin-offering was a confession in itself, and was, moreover, accompanied by a general oral confession. Hence, the latter verse explains the former, indicating in what manner the sin in question was to be confessed.[1] Besides, we see from the fourth verse that in the fifth and sixth there is question of vows and oaths.[2] Now, we still possess the form of confession employed by the Jews in order to be released from their vows and oaths; it may be seen in the first pages of almost all the rituals for Atonement-day. The burdened victim declares himself repentant for all the oaths and promises which he ever pronounced, and he retracts them all. They are too numerous, he says, to be enumerated in particular. Then the tribunal, consisting of three members, declares him free, and all his oaths and vows as null and void, and as if never made.—The

[1] Cf. a Lapid.

[2] Cf. Sa and Mariana.

texts of Ecclus. and Prov. speak of confession as the law imposed it, and bear consequently all the limitations of the law itself.

Finally, the objections brought against us from the Jewish Rabbis are either based on the supposition that the Rabbis had legislative power, which they had not; or that they presented the traditionary interpretation of the law, which we have shown to be in our favor. We cannot do better than conclude this investigation by the view St. Thomas expressed on this subject:[1] "In lege Moysi erat aliqua confessio. Quia in generali profitebatur peccatum suum oblationem in lege faciens pro peccato statutum, non autem in speciali, sicut est in nova lege; nec iterum fiebat sacerdoti habenti claves, quæ confessio est sacramentalis; nec satisfactio erat secundum arbitrium talis sacerdotis; nec contritio cum proposito talis confessionis et satisfactionis; et ideo aliqua pœnitentia erat tunc, sed non quæ nunc est sacramentum."

CASUS MORALIS.

Petrus, cum sæpe habuisset copulam carnalem cum Anna, puella liberioris vitæ, postea in matrimonium duxit Catharinam, ipsius sororem, quæque pia est et morigerata. Matrimonium jam a duobus annis contractum est, at, hoc tempore decurrente, Petrus ab invisenda Anna non abstinuit, cum eaque iterum iterumque peccavit quin tamen ulla proles exinde nasceretur. Anna pluries confessa est, sed semper reticuit, ruboris causa, circumstantias tantorum peccatorum. Nunc vero, occasione alicujus missionis, omnia manifestat confessario et seriam promittit emendationem.

Unde quæritur:

I. Quid dicendum de validitate matrimonii inter Petrum et Catharinam?

[1] 4. d. 22. qu. 2. a 3. ad 3^{um}.

II. Supposito prædictum matrimonium esse invalidum, qua ratione procedendum sit ad ipsum revalidandum?

RESP. I. Matrimonium inter Petrum et Catharinam videtur esse, et in foro externo, verificatis quibusdam adjunctis, certo præsumitur invalidum propter affinitatem ex copula illicita inter Petrum et Annam, sororem Catharinæ.—Affinitas est vinculum propinquitatis quod existit inter eum qui carnali copula alicui junctus est et hujus compartis consanguineos. Quamvis autem certum sit hujusmodi vinculum constituere impedimentum dirimens matrimonii, quæstio movetur ab aliquibus theologis de origine et nativa vi hujus impedimenti. Dicendum tamen est ipsum habere sane remotum aliquod fundamentum in jure naturæ, sed proprie et proxime provenire ex jure ecclesiastico, si forte excipias primum gradum in linea recta, et quidem tunc solum cum causatur a copula illicita. Quare communior sententia theologorum docet Ecclesiam non posse dispensare inter novercam et privignum, vitricum et privignam, aut inter socerum et nurum, socrum et generum, tum quia de facto nulla extat memoria hujusmodi dispensationum, tum quia hanc conjunctionem S. Paulus (I. Cor. v. 1) ait talem esse fornicationem "qualis nec inter gentes [auditur]."—

Si autem quæras de limitibus ad quos protrahitur impedimentum affinitatis, responderi debet ipsum hodie extendi usque ad quartum gradum inclusive, si sermo sit de copula licita, et, si de copula illicita, usque ad secundum gradum pariter inclusive. Dixi *hodie*, quia ex una parte constat majorem fuisse extensionem ante Conc. Lat. IV. et Tridentinum, et ex alia sperandum est ulteriorem adhuc fieri reductionem si iterum resumatur Concilium Vaticanum; siquidem notum est hoc fuisse unum ex *Postulatis* propositis a compluribus Patribus interrupti Concilii.

Ex dictis statim colligi posset matrimonium inter Petrum et Catharinam esse certo nullum; atque ita revera dicendum esset nisi, ex casu, appareret ratio quædam dubitandi num copula fornicaria quæ inter Petrum et Annam intercessit, fuerit necne perfecta, qualis scilicet requiritur ad impedimentu n affi-

nitatis gignendum. Hac non prorsus inani suspicione motus, non dixi jam ab ipso initio matrimonium Petri *esse*, sed solum *videri* nullum, et verificatis quibusdam adjunctis certo invalidum præsumi in foro externo.—Etenim ex jure canonico et ex communi consensu theologorum legem ipsam interpretantium ad contrahendum impedimentum affinitatis requiritur copula carnalis non quæcumque, non attemptata, sed perfecta; quamvis si de hac perfectione exoriatur dubium, quod nequeat expelli, pro ea sit necessario standum. Ratio est quia, ut ait S. Alphonsus (Lib. VI. n. 1075), cum multis aliis theologis, in hoc casu judicandum est ex communiter contingentibus; ac proinde concludit S. Doctor "quod in foro externo ubi constat de coitu, semper pronuntiandum pro impedimento affinitatis contracto, et sic etiam judicandum pro foro interno, quod præsumptioni fori externi conformari debet, semper ac non constat, hanc esse falsam."—

Verum si quæras quid sit copula perfecta, et quænam sit ratio intima cur hujusmodi perfectio seu complementum requiratur ad affinitatem contrahendam, præstat referre hic verba ipsa P. Lehmkuhl, qui (Vol. II. n., 762) ita loquitur: "Ut affinitas oriatur requiritur copula perfecta, de se ad generationem apta, qua fiant vero sensu 'una caro,' vel qua fiat 'sanguinum commixtio,' ut habetur ex *Decr. Grat.* caus. 27, q. 2, c. 18, *Lex divinæ.*" Aderit igitur semper, si facta fuerit conceptio, utcumque aliquid defuisse dicatur in ipso actu conjunctionis viri et mulieris; nam revera facti sunt una caro, quum ex carne viri et mulieris proles concipiatur. At sive ex causis notis, sive ex ignotis, conceptio facta non est, aderit etiam tum affinitas, si copula ex parte viri completa fuit atque ex parte mulieris complementum spermationis accessit: sic enim hæc sanguinum commixtio semper intellecta est, et quum tandem—maxime si aliud constituendæ affinitatis momentum, sc. matrimonii rati, deest—tota ratio tum affinitatis tum ejus impedimenti ex ecclesiastica lege repetatur, huic communi, imo unanimi consensui in eruendo sensu legis plane standum est."—

Et hæc quidem quæc hactenus dicta sunt respiciunt jus et legem: ad factum autem quod attinet, estne verum adesse in casu, prout exponitur, aliquid quod prudenti confessario dubium ingerere potest num Petrus et Anna revera causaverint affinitatem? Profecto adest; nam in casu dicitur Annam fuisse puellam liberioris vitæ, et præterea additur, ex tot repetitis copulis nullam ex ea natam fuisse prolem: quibus non immerito innuitur eam vixisse modo onanistico. Sed, concepto dubio, tota difficultas reducitur ad praxim, scilicet ad rationem inveniendi veritatem, et ad modum procedendi in interrogationibus faciendis, si quæ faciendæ sint. Porro, salvo meliori judicio, existimo prudentem confessarium posse, imo debere, caste tamen et verecunde, Annam interrogare num—*media quædam adhibuerit ad consequentias evitandas tam turpis vitæ.*—Quod si Anna respondeat nullum medium fuisse ad hunc effectum adhibitum, nulla alia fiat interrogatio: quiescat tum confessarius, atque uti certum assumat copulam fuisse perfectam, et consequenter certum esse impedimentum affinitatis.—Item hanc eamdem conclusionem teneat, si Anna respondeat se sæpe concepisse, aut saltem semel, sed tunc ad artem medicam recursum habuisse ne proles nasceretur; aut etiam non evasisse matrem, quia non solum cum Petro, sed cum pluribus aliis viris concubuerit.—Si vero Anna respondeat se, ad evitandam infamiam, nunquam cum Petro egisse recte, aut complete, aut naturali modo, aut aliud hujusmodi; aliunde vero nihil cognoscitur in foro externo de tali turpi commercio, confessarius recte et prudenter judicabit copulam non fuisse perfectam, et consequenter nullam adesse affinitatem inter Petrum et Catharinam. Quare ne verbum quidem dicat aut ullum dubium moveat de validitate matrimonii, et totam suam operam in eo ponat, ut Annam adducat ad meliorem frugem et præsertim ut caute ab ea removeat pericula et occasiones novi lapsus.

II. Supponamus modo verum esse id quod aliunde videtur valde probabile, scilicet copulam habitam a Petro fuisse perfectam, ac proinde ipsius matrimonium cum Catharina esse

invalidum, quid tum agendum erit confessario, quave via procedendum ut sanatio prædicti matrimonii obtineatur? Melius, imo ut videtur, unicum medium obtinendi hunc finem consistit in recursu ad dispensationem *in radice;* et ratio est quia ex una parte magna adest difficultas obtinendi renovationem consensus, et ex alia docent theologi dispensationem in radice opportunam esse præcise in hisce adjunctis.—Magnum sane existit discrimen inter dispensationem *simplicem* et eam quæ dicitur *in radice*, tum ratione concedentis, tum ratione effectus, tum etiam ratione modi quo utraque operatur; sed nunc omissa, brevitatis causa, horum omnium declaratione, id solum necesse est adnotare quod nuper innui, scilicet ex ipso jure, ex mente supremi legislatoris et ex unanimi consensu theologorum tunc præsertim recurrendum esse ad hanc specialem dispensationem cum nequit consensus renovari saltem ex una parte. Quod autem in casu nostro magna adsit difficultas obtinendi novum consensum evidenter patebit cuicumque illum attente legerit. Et quamvis difficultas superari posset ex parte Petri, si confessarius petat ab Anna ut ipsum ad confessionem inducat, et simul ei suadeat ut apud eumdem confessarium omnia candide et sincere manifestet, quin tamen, dum ista Annæ dicuntur, hæc ullo modo particeps fiat invaliditatis matrimonii, nequit idem finis obtineri ex parte Catharinæ, siquidem hæc de existentia præhabiti turpis commercii nihil cognoscit aut suspicatur.—Neque dicas sufficere ut Catharina renovet generali quadam formula consensum antea datum postquam ab Ecclesia sublatum fuerit impedimentum affinitatis; nam si ipsa non edoceatur de vitio consensus a se præstiti non habebimus nisi repetitionem vitiati consensus, prouti non improbabiliter docent multi theologi.

Confessarius igitur petat a suo Ordinario facultatem applicandi dispensationem in radice, deinde prudenter satagat obtinere ab ipso Petro confessionem omnium circumstantiarum, et demum ei applicet in actu confessionis obtentam dispensationem.—Si tamen quæras num et qua ratione componi posset totum hoc negotium si a neutra parte obtineatur

renovatio consensus, respondetur tunc necessario recurrendum esse ad S. Sedem; nam Episcopi nostri possunt tantum concedere dispensationem in radice quæ dicitur *imperfecta*, et quæ supponit renovationem consensus ex una parte. Hoc aperte colligitur ex ipso tenore facultatis, quæ ita effertur: "Sanandi *in radice* matrimonia contracta quando comperitur adfuisse impedimentum dirimens super quo ex Apostolicæ Sedis Indulto dispensare ipse possit, magnumque fore incommodum requirendi a parte innoxia renovationem consensus, monita tamen parte conscia impedimenti de effectu hujus sanationis."

Quod si revera Petrus nequeat ad confessionem adduci, casus solvendus esset per recursum ad S. Sedem, et tunc confessarius motus a charitate, atque dispensatione petita et obtenta, illam applicabit Catharinæ in actu confessionis, cum hæc utut inscia, ad ipsum primum accedet pro absolutione peccatorum.

Cf. S. Alphons. Lib. VI., n. 1075 et seqq.—Lehmkuhl, vol. II., n. 761 et seqq., et n. 828 et seqq.—Feije, de imped. et dispensationibus matrim., n. 765, et seqq.—Heiss, § 40, et § 64.—Konings, n. 1635 et seqq.—Sabetti, n. 890 et seqq., et n. 927 et seqq.—

A. SABETTI, S. J.

CONFERENCE.

SUGAR IN WINE FOR THE HOLY SACRIFICE.

THE wine used for the holy sacrifice is to be true wine of the grape. Under the term *true wine of the grape* may be understood, as is evident from various decisions of doubts proposed to the S. Congregations—first, fermented wine produced from the juice of the ripe grape (ex uvis de vite). This is wine in the ordinary acceptation of the word, and its use for the Mass is obligatory in these as in most regions of the earth.

Second, the juice pressed out of the ripe grape, and which has not undergone the process of ordinary fermentation. This cannot be made use of except under absolute necessity. The Rubrics of the Roman Missal state (De Defectibus, iv., 2) that consecration (in such cases) would be valid, but is prohibited sub mortali peccato. Third, the wine obtained from dried grapes (raisins) by soaking them in a limited quantity of cold water. The process by which this wine is produced requires considerable care, and is described by the Franciscan Father Joseph, prefect of the Ethiopian Missions. That true wine may be obtained by this means is beyond doubt, and the Congregation of the H. Office has accordingly permitted its use in certain places and for certain times, provided that the smell, taste, and color make it plainly recognizable as true wine of the grape.

With us, where fermented wine is easily obtained, the only question which concerns us is that of its purity. Wines produced by chemical processes, even if they actually contained the same ingredients as the natural grown grape wine, or such as are adulterated to an extent which would no longer make them substantially the true juice of the ripe grape, are not only illicit, but unquestionably invalid material for consecration. In face of the large production of artificial wines, suitable, probably, for every other purpose except the altar, the S. Congregation of the Propaganda (10 March, 1861) and various Provincial Councils have called attention to the necessity of exercising extreme care in the choice of wines for altar purposes; and most Bishops require from the wine-sellers a deposition under oath that they will furnish for the H. Sacrifice only pure wines, wholly produced from the juice of the ripened grape. But it is needless to emphasize that the Bishops as the priests who procure the wine for the altar, depend almost entirely on the integrity and conscientiousness of the merchant. Sometimes the latter are only commission merchants, and in vouching for the purity of their wines rely upon the fact that they obtain their stock from the vineyards,

although it is well known that the wine growers doctor their goods in various degrees, and unless they are devout Catholics themselves, have rarely an adequate appreciation of what is the consequence of furnishing a doubtful brand of wine to priests. The fact is that some merchants, who had been considered trustworthy, were afterwards discovered as having sold artificial wines, perhaps under the belief that there was no real difference in the substance of the artificial product and the natural grape-wine. But the discovery raised some ugly questions of restitution in the matter of stipends, and many kindred scruples. It might be useful to remember that some kinds, such as Madeira, Sherry, Malaga, etc., (Vide Conc. Plen. Balt. II., 373) are more apt to be adulterated than the ordinary domestic wines.

But supposing that by great care in procuring our wines for the altar from thoroughly reliable and conscientious persons[1] we should avoid the danger of getting artificial wine produced from other fruits than the grape, or by chemical composition, there still remains a scruple on the part of the priest who makes use of wine which he knows to have been "doctored," as the phrase is among wine-growers.

It is a recognized fact that, both in the preparation and for the conservation of true wines, foreign substances are added in a greater or lesser quantity, which are not originally contained in the grape. Wine-growers maintain that such addition is frequently an absolute necessity, so as to secure the wine against becoming acid in a very short time, by reason of the natural character of the grape, our climate, the increase of fermentation in transporting, and the like. We shall have to say something of this "doctoring," to understand the character of it, because it will help in settling a doubtful conscience, in case we should have to make use of such wine.

A bad season, such as too much rain and lack of sunshine,

[1] It certainly commends itself as the safest and most conscientious way to obtain the altar wines from vineyards which are known to be directly superintended by some priest, even if they should happen not to be as palatable or clear as the market-wines.

or industrial reasons sometimes cause the grape to be cut before it is ripe. The acrid juice is afterwards corrected by the addition of a fermentable sugar. This kind of wine cannot be used for the altar, because the liquor is not matured. It is all the more important to remember this, because this kind of adulteration cannot afterwards be detected by chemical analysis, although the absence of what is commonly called bouquet may betray the fact to a practised wine-connoisseur.

Sugar is frequently added to wines of every kind, sometimes to correct the flavor or taste, but more often as a preservative, since in the process of fermentation the sugar turns into alcohol and carbonic acid. This addition in small quantities does not change the substance of the true grapewine, which in its natural state contains varying quantities of sugar as well as gelatine, fat, albumen, tartaric acid, different oxides, and other substances more or less predominant, according to the nature of the soil in which the vine grows. A certain grape may contain 20 per ct. of sugar, another only 10 per ct. or less. By adding 10 per ct. of the wanting quantity to the juice of the last grape before fermentation, the two wines resulting would probably become more alike in taste and body, leaving out of account the neutralizing power which the sugar might have upon other parts of which the wine consists. The 10 per ct. sugar added to the wine would not change the substance of the latter, for even after fermentation the greater part of the sugar is converted into the substance of the wine, just as a small quantity of added water would be. Whilst, then, a merchant could not conscientiously add any foreign substance to the natural wine for the purpose merely of giving it flavor or color or the like, we should not without discrimination as to place and time and circumstances condemn as sinful the admixture of minute quantities of sugar or alcohol or sulphur, or whatever may be really necessary to secure the keeping of the wine for a reasonable period, so that under the influences of climate, transportation, etc., it may not turn into acid. Nevertheless, this is a question the direct solution

of which must be left to the safe conscience of a Catholic dealer.

As for the priest—here is a practical rule to determine his conduct. He uses, so far as he can obtain it, the purest wine pressed from the ripe grape. The probable or even known admixture of a foreign substance in small quantities, if it is added for a reasonable cause, such as the preservation of the wine, etc., need not prevent him from using such wine for the Holy Sacrifice. As to what constitutes a small or a large quantity of the added substance must depend on the character of the matter added, and how it affects the wine. The general rule of moral theologians is: There should be no *notable* change in the substance, viz., such as to produce a liquid which could be no longer properly called true wine of the ripe grape (de vite), though it might still contain a large amount of that substance. It is hardly necessary to add that the intention of the wine producer in making the addition, *i. e.*, whether he did so through a sense of necessity to preserve the wine, or for purposes of industry, would not affect the validity of the consecration, so long as it remains substantially true grape-wine.

In the light of the above principles, it will not be difficult to answer the following questions from Canada.

Certain viniculturists have been in the habit of adding six per cent. of sugar to grape pulp, in order to reduce the amount of tartaric acid natural to our Canadian growth.

Qu. 1. This amount of saccharine matter being added to the natural grape previous to fermentation, *does it invalidate* the wine resulting from the mixture?

Resp. It would certainly not invalidate the consecration. Six per cent. of sugar seems a small quantity when compared with the usual amount of saccharine substance in wine, especially when added before fermentation has begun, since in a short time it is absorbed into alcohol and turned into the substance of wine. "Parva autem alterius materiæ commixtio valorem non afficit; quamquam videtur materia aliquo modo

fieri illicita, nisi rationabilis causa sit, v. g., vini conservatio, quæ illam parvam additionem suadeat." (Lehmkuhl, vol. ii., 119, 9).

Qu. 2. What amount of matter, whether sugar or water, added to the wine after fermentation, would render it invalid as matter for the Holy Sacrifice?

Resp. In general, that must depend on the strength of the wine, and the amount of saccharine matter already contained in the natural wine. Speaking of the addition of water to the wine at Mass, Fr. Lehmkuhl says: "*Usque ad tertiam partem aquam admiscere, dubiam reddere potest materiam consecrationis.*" (Vol. ii., 121, 4).

Qu. 3. Does it make any difference whether such amount of sugar be added previous to or after fermentation? It has been understood that a small quantity of sugar, viz., 6 per cent., added to the grape juice previous to fermentation does not invalidate the wine for the Holy Sacrifice.

Resp. It makes some difference, since fermentation of itself tends to decrease the saccharine matter; something, moreover, depends on the kind of sugar used, as some will not turn into alcohol, but remain undissolved. But in neither case could it, we think, be said to *invalidate* the H. Sacrifice. *Whether and how far it be licit* to make the admixture, especially after fermentation, must be decided upon the reasons which the wine growers have for doing it, since the diminution of tartaric acid might not be a necessity. "Uno verbo, omnia vina de vite modo consueto extracta, quæ non sint substantialiter corrupta vel notabiliter mutata, sunt materia apta consecrationis, quamvis aliqualiter alterenter, ut si calefiant et modice coquantur, modico aquæ immisceantur aut aliquo aromate ad ea conservanda condiantur. Nec refert, an dicta vina sint alba vel rubra, cum utraque sint vera genimina vitis. Quamvis tamen ubi commode haberi possint vina alba, convenientius sint adhibenda." (Decret. auth. die 9 Sept. 1170.—Bull. r. t. ii., pag. 734. Ed. Aug. Taur. 1859).

THE MISSA PRO POPULO.

Qu. Are we, as pastors, obliged in conscience, that is under pain of sin, to offer the missa parochialis for the people on all Sundays and holydays of obligation? I have seen contradictory arguments on the subject, and though glad to offer the Holy Sacrifice frequently for my people, would wish to know whether in case of sickness I should be held to procure the saying of these Masses by others, and whether, in case I failed to do so, I would be bound to any kind of satisfaction or restitution?

Resp. The strict obligation of offering the Mass for the people on Sundays and holydays lies upon Bishops in actual charge of a diocese, Abbots with similar charge, *Pastors*, secular or regular, of *canonically erected parishes*, even though they have only temporary charge of such parishes.

According to the interpretation of the most approved theologians, this obligation *does not extend to pastors of parishes not canonically erected.* In this country, with the exception of some churches in the province of San Francisco, there are no canonically established parishes, as is evident from the express words of the last Council of Baltimore, which not only carefully distinguishes between *paræciæ* and *districtus quidam paræciæ instar* (Cf. Conc. Pl. Balt. III., n. 32), but states almost in so many words that the institution of fixed rectorships (privilegium inamovibilitatis) and synodal examinations is intended to obviate certain difficulties arising out of the missionary character of this country,—*quamdiu paræciæ canonice erectæ non sint* (Ibid. n. 24). The answer, therefore, given to the question of the Fathers of the Second Plenary Council of Baltimore, viz., whether the missionary priests of this country where canonically erected parishes do not yet exist, were bound, in justice or in charity, to offer the Mass on feast-days for their people, still stands. That answer was: They are not held, where there are not canonically erected parishes. And that in speaking of the obligation of priests under this

head the expression used in a former document on the subject, namely, that they are obliged *tantummodo titulo charitatis, non vero ex justitia*, was to be avoided, and instead of saying *teneri* ex charitate it should be *decere* ex charitate. (Vid. Decret. II. Conc. Pl. Balt. ii. lxxii., n. 368 adnot.)

LOCATION OF STATUES IN CHURCHES.

Qu. Is there any rule for locating the statue of the Blessed Virgin in churches? If so, on what side of the altar should the statue be placed?

Resp. The place of the images and statues erected in a church is determined by the relative dignity of the saint who is represented. The Gospel side is always the place of honor. "Imagines—si super altare exponantur, juxta crucem vel inter candelabra collocantur—digniores a cornu evangelii et prope crucem."

De Herdt, Praxis I., 191.

A MINOR CLERIC ACTING AS SUBDEACON.

Qu. Can a cleric not in Holy Orders, if obliged to act as subdeacon at a solemn Mass, purify the chalice after Holy Communion?

Resp. Yes, for the several decrees, permitting a simple cleric to exercise the office of subdeacon in case of necessity, make no distinction, except that he is not to wear the maniple.

THE SUBDEACON CARRYING THE CHALICE NOT PURIFIED.

Qu. In case of duplicating, when the first Mass is a "Missa solemnis," can the subdeacon (in sacris) carry the chalice not purified to the credence table?

Resp. The approved rubricists (Gavantus, Merati, Tetamo,

de Herdt) suppose that at Christmas, at the first and second solemn Masses, the subdeacon fulfils his office in carrying the chalice to the credence-table, as usual. Only, he must take care to place it upon a spread corporal. The same holds good in the case of duplicating. (Cf. Nouvelle Revue Théologique, tom. xxi.—i., pag 111).

ANALECTA.

NON-CATHOLICS BURIED IN CONSECRATED GROUND "EX MENTE S. SEDIS."

Some time ago[1] we had occasion to refer to the meaning of a clause in the Second Pl. Council of Baltimore, regarding the burial of non-Catholics in the family vaults (consecrated) of Catholics. According to the practice in the Diocese of Prague (from the Synodal Decrees of which the clause in the Baltimore Council had been taken) the non-Catholic members of a Catholic family which possessed a private vault in consecrated ground were buried in the latter. The Holy See, it was understood, tolerated this practice, provided the vault had been in possession of the family before the death of the non-Catholic member. This was to obviate the abuse of the practice *in fraudem legis*. From the practice in the Diocese of Prague, which had been officially ascertained, we concluded that "ex mente S. Sedis"[2] the same practice might be tolerated in this country, since the Decrees of the Baltimore Plenary Council had the approval of the Holy See, and the said clause with its reference to the Synod of Prague had received no limitation or correction. The Propaganda having been addressed on the subject, because of the doubts of some

[1] Am. Eccl. Review, March, p. 113.

[2] The clause reads: "Ex mente Sedis Apostolicæ toleratur ut in sepulchris gentilitiis quæ videlicet privata et peculiaria pro Catholicis laicorum familiis ædificantur, cognatorum et affinium etiam acatholicorum corpora tumulentur."

prelates, in a recent letter to the Archbishops of this country, shows that in following the interpretation of the Council of Prague we were correct, but the Holy See adds a warning, lest what the Church reluctantly tolerates by reason of circumstances, might be construed as a positive suspension of an ancient law, which, at least in principle, is bound up with the sacred discipline of Faith. The following letter, then, does not touch the fact of "*what*" the Church tolerates in this instance, but it explains with what dispositions and in *what tenor of mind* she tolerates a practice which she would oppose, but for fear that doing so might give rise to greater evils than the temporary and local suspension of an ancient and sacred discipline. If, as in the case of a mixed marriage, it happen that a non-Catholic dies in the bosom of a Catholic family, the Church, rather than see dissension and public scandals arise, would for the time yield a measure of her right and sacred discipline for the sake of peace and order. But in doing so she would not wish to be understood as waiving the claim in principle, or as giving her sanction to what she does under silent protest. Her toleration of the evil does not, as the letter emphasizes, imply even a *positive* or *absolute toleration*, as if conveying anything of a privilege—she allows the practice with a mere *passive toleration*, and for the express purpose of avoiding greater evils. The responsibility, then, which would oblige a bishop or priest to use extreme discretion in allowing the practice, is not diminished. But when there is no other way of avoiding "majora mala," he will know what he may permit without breach of duty and without fear of bartering rights which the Church at other times and in other places would have us consider intangible. "*Curent Episcopi totis viribus, ut cuncta fiant ad normam sacrorum canonum : quatenus vero absque scandalo et periculo id obtineri non possit, tolerari posse.*" If there is this danger of scandal, then the bishop is free to exercise his discretion by admitting into the consecrated precincts one or another of those who, though belonging to Catholic families, have nevertheless neglected to

prove in life their rights to rest there, by embracing the Catholic faith.

The Sacred Congregation of Propaganda desires that this letter be made known to the Bishops and that it serve them as a norm by which to interpret the clause of the Baltimore Plenary Council referred to. In other words, the Sacred Congregation explains what is meant by the words "Ex mente S. Sedis." To avoid misunderstanding, we give the main portion of the letter in the original form. It is signed by S. Cretoni (Assessore). The preceding remarks fully explain its purpose.

LETTER OF THE PROPAGANDA.

Fra i diversi dubbi che nella Congr. di fer. IV. 30 Marzo 1859, gli Emi Inquisitori generali discussero relativamente alla tumulazione degli eterodossi ne' sepolcri gentilizi delle famiglie cattoliche, vi fu il seguente: "Utrum acatholici ratione vinculi consanguinitatis seu matrimonii inferri licite possint in sepulchro gentilitio familiarum catholicarum." Gli Emi decisero: "Tolerari posse."

Equale fu la decisione, che i medesimi emisero nella fer. IV. 25 Aprile 1860, in risposta ad una nuova istanza colla quale si chiedeva, se quello che era stato risoluto per i sepolcri gentilizi si potera estendere ai sepolcri privati. Ambedue le decisioni furono approvate dal S. Padre.

I Padri del II. Concilio Baltimorense credettero fare menzione delle succennate disposizioni, ond' è che al No. 389 degli atti di detto Concilio si legge: "Ex mente Sedis Apostolicæ toleratur ut in sepulchris gentilitiis, quæ privata et particularia pro catholicis laicorum familiis ædificantur, cognatorum et affinium etiam acatholicorum corpora tumulentur."

Alcuni Vescovi degli Stati Uniti dell' America Settentrionale non rettamente interpretando la tolleranza, di cui nel citato Decreto è parola, la credettero tolleranza positiva, ed

assoluta, mentre tale non è stata mai la mente della S. Sede, la quale ha sempre intesa una simile tolleranza come meramente passiva, e ad evitare male maggiori.

Un Vescovo però, il quale fu di questa opinione, non sentendosi pienamente tranquillo si rivolse a questa Suprema per una sicura interpretazione. Propostosi l'instanza nella Congreg. di feria IV. 14 Novembre, 1888, gli Emi Signori Cardinali Inquisitori gli decretarono che si communicasse a Mgr. Vescovo Oratore la riposta del S. O. della fer. IV. 30 Marzo, 1859, la quale è del tenore seguente: "Curent episcopi totis viribus, ut cuncta fiant ad normam sacrorum canonum: quatenus vero absque scandalo et periculo id obtineri non possit, tolerari posse;" e che gli si significasse doversi a norma di tale risposta intendere il Decreto Baltimorense, cioè che la tolleranza di cui in quello si fa ceuno, è uno tolleranza meramente passiva ad præcavenda majora mala.

Ad ovviare poi alle erronee interpretazioni a cui il Decreto suddo potrebbe dar luogo, ordinarono che la stessa riposta venisse per mezzo della Congr. di Propaganda communicata a tutti gli Arcivescovi degli Stati Uniti dell America Settentrionale, etc.

THE RENEWAL OF VOWS DURING MASS. *

A custom had obtained with some Religious Communities in America of renewing their vows at the end of their Retreats in the following manner:

Each of the Sisters approaches H. Communion, but before receiving she repeats the formula of her vows; then approaches the next, recites her vows and receives H. Com-

* It may be necessary to state in regard to these Decrees, that, though they bear the date when the decisions were made, they were not authoritatively published until this year. The S. Congregation, after answering individual "dubia," has them published from time to time in Appendices to Gardellini's collection of Decrees. The last Appendix, (V.) which issued from the press of the Propaganda, 1889, embraces authentic Decisions from the 12 January, 1878, to the 23 November, 1887.

munion, and so on, until all have finished the recital of their vows. Meanwhile the priest, with the S. Host in his hands, stands at the Communion rail.

The S. C. of Rites being asked about the lawfulness of this mode of Renewing the Vows, and what manner was the proper one approved by the Church, answered: That the beforementioned method was to be abolished; that it is better to renew the vows outside of H. Mass, but that it might be tolerated, if customary, during the Mass, provided the formula of the Renewal of Vows were pronounced in a loud voice by one of the Religious, the others doing so in silence.

The latter method seems to be the received custom in most Religious Communities; or else they simply repeat a few words to signify their consent to the Renewal of Vows immediately before receiving H. Communion. This is the Decree:

AMERICÆ SEPTENTRIONALIS

Sacerdos Joseph Maria Finotti in civitate vulgo Colorado Americæ Septentrionalis degens exposuit S. R. C. quod invitatus ad excipiendam votorum religiosorum renovationem Sororum a S. Josepho nuncupatarum invenerit in ejusmodi functione obtinere morem, quo, scilicet, antequam singulæ Sorores SSam. Eucharistiam recipiant, votorum formulam emittant, ita tamen ut unaquæque prius formulam ipsam recitet, deinde SS. Sacramentum statim sumat; stando interea sacerdote sacram hostiam in manibus tenente ante altaris septa. Quum hic mos irregularis sibi visus fuerit, satius putavit illum sequi qui alibi servatur, juxta quem Sacerdos dicto *Misereatur* et *Indulgentiam* ad altare conversus expectat usque dum omnes Religiosæ votorum formulam protulerint: hoc autem actu expleto et dicto *Domine non sum dignus* SS. Eucharistiam distribuit. Jamvero prædictus sacerdos scire cupiens quid hac in re tenendum sit, eandem S. R. C. adiit solutionem sequentium dubiorum humillime expostulans, nimirum:

I. An liceat accipere renovationem votorum primo modo?

II. An propria ratio sit ea quam ipse sequutus est?

III. Et quatenus nulla sit propria, quænam sit admissa approbata ratio recipiendi emissionem aut renovationem votorum?

Sacra vero Rituum Congregatio ad relationem subscripti Secretarii, audita sententia in scriptis alterius ex Apostolicarum Ceremoniarum Magistris, propositis dubiis sic respondendum censuit;

Ad I. *Non licere, et modus in casu prorsus eliminandus.*

Ad II. *Convenientius extra Missam, et tantum in Missa tolerari, quatenus formula renovationis votorum elata voce pronuncietur ab una ex Monialibus ratihabita mentaliter a cæteris.*

Ad III. *Provisum in præcedenti.* Atque ita respondit ac servari mandavit. Die 10 Januarii, 1879.

(Decret. Auth. 5759).

HOW MANY CANDLES AT BENEDICTION?

In poor churches (very poor churches, says the decree), there need be but twelve candles. They must be of wax.

Quum Rmus Dnus Petrus Delannoy, Episc. Aturen. et Aquen., a S. Rituum Congr. humillime expetierit utrum juxta necessitatem sibi liceat reducere in Ecclesiis maxime pauperibus Diœceseos sibi commissæ ad duodecim tantum numerum candelarum, quæ ardere continuo debeant ante SS. Sacramentum publice expositum pro perpetua adoratione; S. R. C., referente subscripto Secretario, rescripsit:

Affirmative, ad tramitem Institutionis 30, n. 24, sa. me. Benedicti P. XIV. Atque ita rescripsit. Die 8 Febr., 1879.

(Decr. Auth. 5765).

MASS ON THE ALTAR OF EXPOSITION DURING FORTY HOURS.

The custom of saying Masses on the altar on which the Blessed Sacrament is exposed for public adoration is forbidden, unless there is a necessity, or a grave reason, or a special

dispensation. The same holds good for the distribution of Holy Communion, when The Bl. S. can be preserved in the tabernacle of any other altar.

DUBIUM.

Quid sentiendum de usu in dies semper invalescente celebrandi Missas coram SSo. Sacramento publice exposito in Ecclesiis, in quibus non desunt alia altaria, item et distribuendi S. Communionem in iisdem Missis et extra Missas in eodem altari?

Ad I. *Non licere sine necessitate, vel gravi causa, vel ex speciali indulto.*

Ad II. *Negative.* Ex resp. S. R. C., die 11 Maji 1878.
(Decreta Auth. Ad I. 5728.)

DISTRIBUTION OF HOLY COMMUNION IMMEDIATELY AFTER CONSECRATION.

Where there is a great concourse of people, and the number of sacred particles, to give Holy Communion, insufficient at one Mass, it has sometimes been customary to say another Mass, and begin the distribution of Holy Communion immediately after consecration, so as not to keep the people waiting. The S. Congr. of Rites has declared the practice an abuse, and has forbidden it.

DUBIUM.

Valetne sustineri usus aliquarum Ecclesiarum, in quibus ratione concursus ingentis populi, cum non sufficiat multitudini pro S. Communione quantitas hostiarum, jam celebrata nova Missa statim a consecratione reassumitur distributio Communionis?

S. R. C. respondendum censuit:
Abusum esse interdicendum.

S. R. C. 11 Maji, 1878.
(Decreta Auth. Ad IX., 5728).

BOOK REVIEW.

THE HISTORY OF CONFESSION OR THE DOGMA OF CONFESSION, VINDICATED FROM THE ATTACKS OF HERETICS AND INFIDELS. Translated from the French of Rev. Ambrose Guillois, by Louis de Goesbriand, D.D., Bishop of Burlington, Vt. New York, Cincinnati, Chicago: Benziger Bros., 1889.

It is easy to understand why Fr. Guillois wrote these letters. They were intended for a young friend, a lawyer, and not originally meant for the public. Undoubtedly, there must be a large class of youth, similarly circumstanced, to whom the publication of these historical sketches might prove useful, and bring the conviction that, after all, Confession of sins, as practised in the Church, is not an invention of priests, nor any new thing, seeing that it has the sanction of all ages. To take from the book its personal character, which, of whatever interest it might be to Frenchmen, could not possess the same for the general reader, and to adapt it to our time and country, Bishop Goesbriand, in translating it, has changed the epistolary form into a treatise made up of separate chapters, has omitted whatever was local or individual, and has added many remarks of his own, in the third chapter, where the author treats of the institution of Confession by our Lord. These additions undoubtedly enhance the value of the work.

As to the weight of the arguments drawn from ancient history, to prove "Confession," the author seems to us somewhat to exaggerate their importance in this connection. Few men will deny that there is in human nature an instinct or a tendency, or, if you will, a necessity, by which the sober mind recoils from its last enormities or sins. Every tension to excess is followed by a reflection, a snapping back, which makes itself heard. So sin brings remorse, and remorse seeks alleviation in acknowledgment; and in a well constituted society that acknowledgment is exacted before punishment, or is implied in atonement. Just how far the ritual observances among the Hebrews prove the necessity or propriety of the Dogma of Confession is shown by Father Maas, S. J., in the article on the subject in this number, to which we refer the reader.

In regard to the practice among the pagans, we could wish that the

arguments had been either more concise, or less explicit, or at least differently shaped. As they stand, they are apt to mislead whatever partial view one might take of them. It is hardly true that Confession—and by Confession we must at least understand acknowledgment of sin, whether general or particular, with a sense of sorrow—was part of the rites of Bacchus, Venus, and Adonis. Dupuis and his brood have explained these ceremonies as invented to give occasion and justification to crimes by stifling the remorse they created, in the belief of their being readily condoned, and they have made precisely these facts their arguments to show that the Christian religion is nothing more than a remnant of pagan worship, having come to us from Egypt, through the Jews and Greeks. (Origine de tous les Cultes, par Dupuis, Paris, 1822, tome iv., c., ii. 366). Were the author to go into greater detail, he might save his proposition; for, instances could undoubtedly he found here and there of proper uses of these ceremonies, so as to point to a Confession in the Christian sense of the word. The bare tradition of Romulus "proclaiming the deep repentance which filled his soul" loses its very impressiveness as an argument by being considered an historical fact; and if the cry of regret following evil deeds is to be proved, we hardly need the testimony of history such as this.

These things, which might have had force of convincing under certain circumstances, could, it seems to us, have been omitted, since they are of no particular historical value, in the way in which they are presented. Indeed, the danger of their being abused seems to us somewhat greater than their utility, even if they did prove anything in favor of the Dogma of Confession. In every other way the book is a useful contribution to the literature of the subject.

PHILOSOPHIÆ LACENSIS SIVE SERIES INSTITUTIONUM PHILOSOPHIÆ SCHOLASTICÆ edita a presbyteris Societatis Jesu, in collegio quondam B. MARIÆ AD Lacum. INSTITUTIONES LOGICALES SECUNDUM PRINCIPIA ST. THOMÆ AQ. ad usum scholasticum accommodavit Tilmannus Pesch, S. J. Part I. SUMMA PRÆCEPTORUM LOGICÆ. 1888, Friburgi Brisgoviæ. Sumptibus Herder. (St. Louis, Mo.) pp. v—xxii, 558. $ 2.35.

Like most other products of mental growth that are solid and lasting, the Cursus Lacensis develops very slowly. Eight years ago it put forth its goodly stem in the "Philosophia Naturalis" of Fr. Pesch. Four years afterwards came part of an Ethical shoot in Fr. Meyer's "Institutiones Juris Naturalis" Last year appeared the work before us—a half of

the logical branch. "Jure mirabitur lector vel benevolentissimus singula hujus seriei volumina tanta tarditate tantisque interpositis emitti intervallis." (p. v) Still, the lector "vel impatientissimus" must be calmed by the apology:—"Verum sciat nobis quum ex incommoditate exilii et iniquitate temporum, tum ex ægrotationibus aliquorum scriptorum, multo plures difficultates exortas esse, quam a nobis hoc opus aggredientibus praevideri potuit—" (Ibid.) And forgetting the "parva temporum intervalla," in which he was told at the start to look for the ripened fruits and found them not, he will rely on the present assurance—"summæ. . . .nobis curæ erit ut id quam fieri potest citissime ad finem perducatur quod initio lectoribus promisimus" (Ibid.). For Latin manuals of logic there is at present small need. The supply produced during this last quarter of a century is well up to the demand. On the other hand, the older commentaries and expansions on Aristotle, together with such modernized treatises as that of Sanseverino, furnish ample enlargements of the existing compendia. But all who are conversant with these two extremes know how wide a gap that needed filling lay between. Fr. Pesch aims at supplying the want. "Nos neque compendium scribere volumus pro incipientibus, neque librum qui captui illorum accommodatus sit, qui in studiis logicis sunt perfecti omnino et absoluti. Sed id intendimus quod inter hæc interjectum est medium.(p. v) True to this aim, the work is divided into two parts. The first half—"Summa Præceptorum"—is confined to the present volume. The first book gives the general notions preliminary to Philosophy, an excellent outline of the history of Logic, a sketch of such parts of Empirical Psychology whose preknowledge is required for thorough study of Logic, together with a chapter on the triplex modus sciendi of the schools. Book II. covers the ordinary ground of Dialectics—mental and oral terms! judgment and propositions; ratiocination as to form and matter; a treatise on method, and on the states of the mind in regard to the attainment of truth. The work is therefore, thus far, a digest of Dialectics with a portion of Ethics. We look forward with eagerness for the coming of the other half, which promises a thorough development, in the good old times form of "quæstiones," of natural and formal Logic, and of the transcendentals, categories, and postpraedicamentals.

MANUAL OF CATHOLIC PHILOSOPHY: MORAL PHILOSOPHY OR ETHICS AND NATURAL LAW, by Joseph Rickaby, S. J. Second Edit. New York: Benziger Bros. 1889.

A sign of the need there is for English works on Catholic Philosophy,

and that these Stonyhurst Manuals aptly meet the demand, is the fact that the first large edition of Fr. Rickaby's Ethics has been already exhausted and a second edition called for. The popularity of the book is merited, first, by its method, which, while outlining and fairly developing the main subject matter of the Scholastic Ethics, presents it in its bearing on recent theories of morals; and secondly, to its style, which embodies the abstract truths in striking imagery, and holds the reader's interest by its frequent sallies of wit and humor. Its author has solved the problem, as far it can be solved, of making "philosophy easy." For general reading, for beginners in ethical study, and for suggestive review of a previous course, the work is admirably adapted.

INTRODUCTIO IN CORPUS JURIS CANONICI. CUM APPENDICE BREVEM INTRODUCTIONEM IN CORPUS JURIS CIVILIS CONTINENTE. Exaravit Dr Franciscus Laurin.—Friburgi Brisgoviæ et Vindobonæ. Sumptibus Herder. MDCCCLXXXIX.

When the monk Gratian compiled his "Concordantia discordantium Canonum" which in later times received the simple name of "Decretum," or "Decretum Gratiani," Canon Law was in a lamentable state of confusion. He was the first to arrange into a sort of digest the laws and ordinances which existed in various portions of the Church. He separated whatever was spurious or obsolete, reconciled and explained many contradictions arising from false application of existing laws, or from interpolations by unauthorized hands. And feeling the necessity of bringing back all positive law, whether ecclesiastical or civil, to some fixed principles of right, whence their just application may be safely determined, he defines in the first part of his "Decretum" the notion of law, then of ecclesiastical or Canon law, and further on makes the application to the internal government of the Church and where Church and State meet each other. Both the systematic order and the accurate discrimination made use of by Gratian in his work have made it a fountain whence canonists for nearly seven hundred years have drawn their references. This has made the "Decretum" the most important document in the history of Canon Law. Annotators in great numbers were found to explain the text, and editions of different merit with *glossæ interlineares*, and others with *glossæ marginales*, were in common use. Our author, Dr. Laurin, who has been devoted to his subject as public professor at the Vienna University for nearly a quarter of a century, induced partly by the fact that his lectures had been utilized for publication by others not authorized—which, indeed,

is a good argument in favor of their excellence—presents a critical study of the "Decretum Gratiani," shows its various uses in the application of Canon law, and how it may be studied to the best advantage. He then goes over the various collections of Decretals in subsequent ages, testing their authenticity and practical value for our own day. In fact, the main purpose of the work is not so much to teach Canon Law, although the author establishes its principles in clear and concise definitions, but to direct the student to all the reliable and available sources of the subject. Hence we find in it enumerated the various "editiones Corporis Juris Canonici" up to our day, including, of course, only fundamental and scientific works. There are also suggested other valuable "subsidia litteraria ad juvandum studium Corporis Juris Canonici." As the Canon law of the Church is in many ways closely interwoven with the old Roman law, the author has, for its better understanding, added in an Appendix a "Brevis Introductio in Corpus Juris Civilis Romani." It is to be expected that a work which is the result of twenty years' repeated lectures at one of our largest Catholic Universities should be as thorough and accurate as a work of this kind can well be made.

In connection with the above work we would call the attention of Canonists to a monthly publication on the subject:

LE CANONISTE CONTEMPORAIN OU LA DISCIPLINE ACTUELLE DE L'ÉGLISE.—Par M. l'abbé E. Grandclaude, Superieur du Grand Séminaire, etc. Paris. P. Lethielleux.

The publication is in its twelfth year and under the direction of the well-known author of the *Breviarium philosophiæ scholasticæ*, who has lately associated to himself as assistant editor the abbé Boudinhon, Professor at the Catholic Institute of Paris.

MANUALE THEOLOGIÆ MORALIS in usum præsertim examinandorum auctore Benedicto Melata, S. T. D. Romæ: ex Typographia Tiberina, 1888.

We shall have occasion later to speak of this excellent compend in a paper on the subject of Moral Theology and its study both for seminarians and priests on the mission. Suffice it to say here that its clearness, the reliable character of its sources, and above all its brevity, make it of particular value as well to those who prepare for examination to Holy Orders, as also to the examiners. *Togni* is in many respects deficient, besides being out of date, although it seems to have retained a certain popularity as an examiners' manual. Dr. Melata's work in every way surpasses it.

THOMÆ A KEMPIS DE IMITATIONE CHRISTI LIBRI QUATUOR. Textum edidit, considerationes ad cujusque libri singula capita ex ceteris ejusdem Thomæ a Kempis opusculis collegit et adjecit Hermannus Gerlach. Opus posthumum. Cum Approbatione Rev. Archiep. Friburgensis.—Friburgi Brisgoviæ. Sumptibus Herder. 1889. —Price, 1.00.

There is a work written by Thomas Carré, in 1651, and entitled "Thomas a Kempis a seipso restitutus." It was intended to settle the strife, which had then just begun and which has since exercised not only the learned of every nation, but the S. Congregation of the Index, the French Academy and Parliament, and nearly all the leading Universities of Europe, by reference to the other well known works of Thomas a Kempis. That the book failed every one knows. "Incertior sum multo, quam dudum," said Dupin, after going through a maze of literature on the subject. The dispute was after all of comparatively little practical use. "Non quæras quis hoc dixerit, sed quid dicatur, attende."

With very different purpose did the lamented Canon Gerlach—for God called him hence ere he could give the finishing touch to his careful work—consult the different ascetical books of Thomas a Kempis, the "Soliloquy of the Soul," the "Garden of Roses," the "Valley of Lilies," "The Three Tabernacles," and the rest. He gathered from them the substance of those different "Considerationes" which are usually placed at the end of each chapter, and which have the purpose to keep the mind for some time conversant with those golden thoughts which Thomas gives in his brief and unaffected style. In the ordinary editions of the "Imitation" these Reflections are but echoes faintly repeating the original thought of the devout writer. Here we have the silence-loving monk of Agnetenberg explain himself. We see him, as his Louvain biographer describes him, with his gentle face full of happiness when he could speak about the good, about the ancient manners of the Fathers. "Monebat dulciter, adhortans ad meliora, dulcis et affabilis erat omnibus,—ab aliena et sæcularia referentibus recedens: incompositos et excedentes diligenter redarguit." There is music in his simple sentences, even as much as in those charming simple hymns of his, which, some have thought, must have come from the love-tuned lips of St. Bernard.

Surely, this is a great and worthy departure in the editions of the Imitation. We are glad to see that it has already been translated into German, and to know that at least one English translation is in hand. "Mores rege, aures tege: sæpe ora, et sæpe lege."

POCKET CENSUS BOOK, to accompany the Liber Status Animarum. Published with the Approb. of the Most Rev. M. A. Corrigan, Archbishop of N. Y., and the Rt. Rev. L. M. Fink, Bishop of Leavenworth. Fr. Pustet & Co., N. Y. & Cinc. Price, 25¢.

This note book, by which the prescribed visitation of the parish to be made periodically by the pastors is greatly facilitated, recommends itself by its practical features. Its Rubrics provide for a complete account of the temporal and spiritual condition of the parish. The census book allows entry for about 600 persons, and can easily be carried in the pocket. The divisions correspond to the larger "Liber Status Animarum," in which the Parish Census is compiled to be kept in the parochial archives, and from which reports are made to the Ordinary.

GERMANY'S TRIBUTE TO IRELAND. By Rev. William Stang, D. D. Fr. Pustet & Co., New York and Cincinnati, 1889.

This is a neat pamphlet of some fifty pages by Father Stang, who has ere this proved his practical judgment as a popular exponent of historic episodes. The diocese of Würzburg, in Germany, is to celebrate during this month of July the twelfth centenary of the Introduction of Christianity by Irish Missionaries. The graceful acknowledgment of so great a debt cannot but have a beneficial result, especially here in America, where the sons of both nations are foremost in toiling, side by side, for the building up of that new civilization which, if it assimilate the characteristic virtues of each, will remain a monument of national autonomy, unlike any raised heretofore. Founded on Christianity, cemented by fraternal love, it bears in its majestic form the image of freedom never rightly separable from truth. Father Stang has, by his facts, called our attention to the charity which brought religion, as it was begotten of religion, and which is thus renewed by the example of a Fridolin, a Columban, a Gall, a Sigisbert, a Virgilius, a Disibod, and others, held in veneration, in Germany as in Ireland, for the same reason, viz., their unselfish love of souls, and their devotion to the cause of religion.